

REMARKS

Claims 1 and 9-12 are all the claims pending in the application.

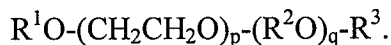
I. Response to Obviousness-Type Double Patenting Rejections

A. Provisional Rejections

1. Claims 1 and 9-12 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-6 of co-pending Application No. 10/544,525 (U.S. Publication No. U.S. 2006/0148353).

Applicants respectfully traverse the rejection.

U.S. App. Ser. No. 10/544,525 discloses the surfactant of the chemical formula:



This surfactant has the sequence, from the left, of EO (ethylene oxide group) repeating units followed by PO (propylene oxide group) (which is R^2O) repeating units. This sequence is quite different from the sequence of the present invention wherein the surfactant has the sequence of the PO repeating units to the EO repeating units from the left.

Accordingly, the present claims are not an obvious variant of the subject matter of the claims of the '525 application.

2. Claims 1 and 9-12 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-8 of co-pending Application No. 10/579,217 (U.S. Publication No. 2007/0135559).

Applicants defer responding to this ground for rejection. Applicants further note that the present application is the earlier-filed application and if this rejection is the only rejection

remaining in this application, the Examiner should withdraw the rejection and, if appropriate, make the rejection in the co-pending application.

3. Claims 1 and 9-12 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-11 of co-pending Application No. 10/579,216 (U.S. 2007/0100064 (U.S. Publication No. 2007/0100064).

Applicants respectfully traverse the rejection.

U.S. App. Ser. No. 10/579,216 discloses the use of an hydrochloric acid trapping compound, while the present invention does not use an hydrochloric acid trapping compound.

The '216 application does not disclose or suggest the surfactant having EO (ethylene oxide) repeating units, PO (propylene oxide) repeating units and an isotridecyl group as in the present claims. Thus, the '216 application does not disclose or suggest the chemical formula of the nonionic surfactant defined in present claim 1.

Accordingly, the present claims are not an obvious variant of the subject matter of the claims of the '216 application.

4. Claims 1 and 9-12 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-8 of co-pending Application No. 10/290,155 (U.S. Patent 6,699,914).

Applicants respectfully submit that the present rejection based on U.S. App. Ser. No. 10/290,155 is improper since this application issued as U.S. Patent No. 6,699,914 on March 4, 2004. The Examiner has also raised a rejection based on the '914 patent (see paragraph 2 under B) which is addressed below.

In view of the above, Applicants respectfully request withdrawal of the above obviousness-type double patenting rejections.

B. Non-Provisional Rejections

1. Claims 1 and 9-12 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent 7,015,275.

Applicants respectfully traverse the rejection.

U.S. Patent No. 7,015,275 discloses a surfactant having EO (ethylene oxide) repeating units (see Table A in columns 7 and 8), but does not disclose or suggest a surfactant having PO (propylene oxide) repeating units and the isotridecyl group.

Thus, the '275 patent does not disclose or suggest the chemical formula of the nonionic surfactant as defined in present claim 1.

Accordingly, the present invention is not an obvious variant of the claims of the '275 patent.

2. Claims 1 and 9-12 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. Patent 6,699,914.

Applicants respectfully traverse the rejection.

U.S. Patent No. 6,699,914 relates to generation of foaming, while the present claims are not directed to generation of foaming.

The '914 patent does not disclose or suggest the chemical formula of the nonionic surfactant as defined in present claim 1.

Accordingly, the present invention is not an obvious variant of the claims of the '914 patent.

3. Claims 1 and 9-12 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. Patent 6,753,376.

Applicants respectfully traverse the rejection.

U.S. Patent No. 6,753,376 broadly discloses a surfactant, but does not disclose or suggest the surfactant having the EO (ethylene oxide) repeating units, PO (propylene oxide) repeating units and an isotridecyl group as recited in the present claim.

Thus, the '376 patent does not disclose or suggest the chemical formula of nonionic surfactant as defined in present claim 1.

Accordingly, the present invention is not an obvious variant of the claims of the '376 patent.

4. Claims 1 and 9-12 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent 6,894,106.

Applicants respectfully traverse the rejection.

U.S. Patent No. 6,894,106 does not disclose or suggest a surfactant having EO (ethylene oxide) repeating units, PO (propylene oxide) repeating units and an isotridecyl group as recited in the present claims.

Thus, the '106 patent does not disclose or suggest the chemical formula of the nonionic surfactant as defined in present claim 1.

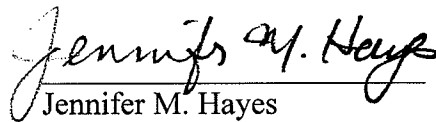
Accordingly, the present invention is not an obvious variant of the claims of the '106 patent.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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